

AMENDED IN SENATE JULY 13, 2009
AMENDED IN SENATE JUNE 30, 2009
AMENDED IN SENATE JUNE 22, 2009
AMENDED IN ASSEMBLY MAY 4, 2009
AMENDED IN ASSEMBLY APRIL 21, 2009
AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1216

Introduced by Assembly Member Evans

February 27, 2009

An act to amend Section 29413 of the Food and Agricultural Code, relating to honey.

LEGISLATIVE COUNSEL'S DIGEST

AB 1216, as amended, Evans. Honey.

Existing law defines “honey” for purposes of those provisions of law that regulate the content, labeling, and container standards of honey.

This bill would establish a new definition of honey for these purposes, including new technical standards, as specified, the violation of which would be a crime under other provisions of law.

By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 29413 of the Food and Agricultural Code
2 is amended to read:

3 29413. (a) “Honey” means the natural sweet substance
4 produced by honeybees from the nectar of plants or from secretions
5 of living parts of plants or excretions of plant sucking insects on
6 the living parts of plants, which the bees collect, transform by
7 combining with specific substances of their own, deposit,
8 dehydrate, store, and leave in the honeycomb to ripen and mature.

9 (b) “Blossom honey” or “nectar honey” means the honey that
10 comes from nectars of plants.

11 (c) “Honeydew honey” means the honey that comes mainly
12 from excretions of plant sucking insects (Hemiptera) on living
13 parts of plants or secretions of living parts of plants.

14 (d) Honey consists essentially of different sugars, predominantly
15 fructose and glucose as well as other substances such as organic
16 acids, enzymes, and solid particles derived from honey collection.
17 The color of honey can vary from nearly colorless to dark brown.
18 The consistency can be fluid, viscous, or partially to completely
19 crystallized. The flavor and aroma vary, but are derived from plant
20 origin.

21 (e) Honey sold as described in subdivision (d) shall not have
22 added to it any *food* ingredient, including food additives, nor shall
23 any other additions be made other than honey. Honey shall not
24 have any objectionable matter, flavor, aroma, or taint absorbed
25 from foreign matter during its processing and storage. Honey shall
26 not have begun to ferment or effervesce and no pollen or
27 constituent particular to honey may be removed except where
28 unavoidable in the removal of foreign inorganic or organic matter.

29 (f) Honey shall meet the following standards:

30 (1) Honey shall not be heated or processed to such an extent
31 that its essential composition is changed or its quality is impaired.

32 (2) Chemical or biochemical treatments shall not be used to
33 influence honey crystallization.

1 (3) Honey shall not contain more than 20 percent moisture
2 content and for heather honey not more than 23 percent.

3 (4) Honey shall contain not less than 60 percent fructose and
4 glucose, combined.

5 (5) Honeydew honey and blends of honeydew honey with
6 blossom honey shall not contain less than 45 percent fructose and
7 glucose, combined.

8 (6) Blossom honey shall not contain more than 5 percent
9 sucrose, except for the following:

10 (A) Alfalfa (*Medicago saliva*), citrus spp., false acacia (*Robinia*
11 *pseudoacacia*), French honeysuckle (*Hedysarum*), Menzies banksias
12 (*Banksia menziesii*), red gum (*Eucalyptus camaldulensis*),
13 leatherwood (*Eucryphia lucida*), and *Eucryphia milligani* may
14 contain up to 10 percent sucrose.

15 (B) Lavender (*Lavandula* spp.) and borage (*Borago officinalis*)
16 may contain up to 15 percent sucrose.

17 (7) The water insoluble solids content for honey other than
18 pressed honey shall not be more than 0.1g/100g. The content for
19 pressed honey shall not be more than 0.5g/100g.

20 SEC. 2. No reimbursement is required by this act pursuant to
21 Section 6 of Article XIII B of the California Constitution because
22 the only costs that may be incurred by a local agency or school
23 district will be incurred because this act creates a new crime or
24 infraction, eliminates a crime or infraction, or changes the penalty
25 for a crime or infraction, within the meaning of Section 17556 of
26 the Government Code, or changes the definition of a crime within
27 the meaning of Section 6 of Article XIII B of the California
28 Constitution.